

1 A bill to be entitled

2 An act relating to multilingual versions of statewide
3 standardized assessments; amending s. 1008.22, F.S.;
4 requiring the Department of Education to develop and
5 school districts to administer multilingual versions
6 of certain statewide, standardized assessments in
7 English and specified home languages to certain
8 students who are or were English language learners;
9 defining the term "multilingual version of an
10 assessment"; authorizing parents of eligible students
11 to request a monolingual version such assessments for
12 his or her student; requiring the department to
13 develop a timetable and action plan to phase in the
14 administration of such assessments, including
15 administering such assessments in additional
16 languages; amending s. 1008.25, F.S.; requiring the
17 Department of Education to develop and school
18 districts to administer multilingual versions of the
19 grade 10 English Language Arts coordinated screening
20 and progress monitoring system in English and
21 specified home languages to certain students who are
22 or were English language learners; defining the term
23 "multilingual version of an assessment"; authorizing
24 parents of eligible students to request a monolingual
25 version of such assessments for his or her student;

26 | providing an effective date.

27 |

28 | WHEREAS, tapping the full linguistic repertoire of English
 29 | Language Learners during statewide assessments will provide more
 30 | accurate information on such students' content area achievement,
 31 | and

32 | WHEREAS, multilingual assessments increase fair play by
 33 | reducing the influence of language barriers on high school
 34 | graduation rates for the English language learners, and

35 | WHEREAS, providing multilingual assessments to students
 36 | whose home language is Spanish or Haitian Creole would be an
 37 | effective response to requests from parents, teachers, and
 38 | students to create avenues for such assessments to better gauge
 39 | the learning gains of English language learners, NOW, THEREFORE,
 40 | Be It Enacted by the Legislature of the State of Florida:

41 |

42 | Section 1. Paragraph (d) of subsection (3) of section
 43 | 1008.22, Florida Statutes, is amended to read:

44 | 1008.22 Student assessment program for public schools.—

45 | (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
 46 | Commissioner of Education shall design and implement a
 47 | statewide, standardized assessment program aligned to the core
 48 | curricular content established in the state academic standards.
 49 | The commissioner also must develop or select and implement a
 50 | common battery of assessment tools that will be used in all

51 juvenile justice education programs in the state. These tools
52 must accurately measure the core curricular content established
53 in the state academic standards. Participation in the assessment
54 program is mandatory for all school districts and all students
55 attending public schools, including adult students seeking a
56 standard high school diploma under s. 1003.4282 and students in
57 Department of Juvenile Justice education programs, except as
58 otherwise provided by law. If a student does not participate in
59 the assessment program, the school district must notify the
60 student's parent and provide the parent with information
61 regarding the implications of such nonparticipation. The
62 statewide, standardized assessment program shall be designed and
63 implemented as follows:

64 (d) Students with disabilities; Florida Alternate
65 Assessment; English language learners.-

66 1. Each district school board must provide instruction to
67 prepare students with disabilities in the core content knowledge
68 and skills necessary for successful grade-to-grade progression
69 and high school graduation.

70 2. A student with a disability, as defined in s. 1007.02,
71 for whom the individual education plan (IEP) team determines
72 that the statewide, standardized assessments under this section
73 cannot accurately measure the student's abilities, taking into
74 consideration all allowable accommodations, shall have
75 assessment results waived for the purpose of receiving a course

76 grade and a standard high school diploma. Such waiver shall be
77 designated on the student's transcript. The statement of waiver
78 shall be limited to a statement that performance on an
79 assessment was waived for the purpose of receiving a course
80 grade or a standard high school diploma, as applicable.

81 3. The State Board of Education shall adopt rules, based
82 upon recommendations of the commissioner, for the provision of
83 assessment accommodations for students with disabilities and for
84 students who have limited English proficiency.

85 a. Accommodations that negate the validity of a statewide,
86 standardized assessment are not allowed during the
87 administration of the assessment. However, instructional
88 accommodations are allowed in the classroom if identified in a
89 student's IEP. Students using instructional accommodations in
90 the classroom that are not allowed on a statewide, standardized
91 assessment may have assessment results waived if the IEP team
92 determines that the assessment cannot accurately measure the
93 student's abilities.

94 b. If a student is provided with instructional
95 accommodations in the classroom that are not allowed as
96 accommodations for statewide, standardized assessments, the
97 district must inform the parent in writing and provide the
98 parent with information regarding the impact on the student's
99 ability to meet expected performance levels. A parent must
100 provide signed consent for a student to receive classroom

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101 instructional accommodations that would not be available or
102 permitted on a statewide, standardized assessment and
103 acknowledge in writing that he or she understands the
104 implications of such instructional accommodations.

105 c. If a student's IEP states that online administration of
106 a statewide, standardized assessment will significantly impair
107 the student's ability to perform, the assessment shall be
108 administered in hard copy.

109 d.(I) No later than the 2025-2026 school year, the
110 Department of Education shall have developed multilingual
111 versions of the grade 10 ELA assessment and the Algebra I EOC
112 assessment to include Spanish and Haitian Creole test items that
113 are equivalent to each English language test items. For purposes
114 of this section, a "multilingual version of an assessment" means
115 an assessment with test items in both English and Spanish or
116 Haitian Creole, as appropriate for the student. Each school
117 district shall administer a multilingual version of the Grade 10
118 ELA assessment or the Algebra I EOC to students whose home
119 language is Spanish or Haitian Creole and who are receiving
120 services in a program operated pursuant to s. 1003.56 or who
121 have recently exited such program and are still within the post-
122 exit monitoring period. A parent of an English language learner
123 may request his or her student receive a monolingual, English
124 version of the assessment.

125 (II) The Department of Education shall develop a timetable

126 and action plan to phase in the development and adoption of the
127 multilingual assessments required under this sub-subparagraph in
128 addition to such assessments in additional languages, as
129 feasible.

130 4. For students with significant cognitive disabilities,
131 the Department of Education shall provide for implementation of
132 the Florida Alternate Assessment to accurately measure the core
133 curricular content established in the state academic standards.

134 Section 2. Paragraph (b) of subsection (8) of section
135 1008.25, Florida Statutes, is amended to read:

136 1008.25 Public school student progression; student
137 support; coordinated screening and progress monitoring;
138 reporting requirements.—

139 (8) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

140 (b) Beginning with the 2022-2023 school year, private
141 Voluntary Prekindergarten Education Program providers and public
142 schools must participate in the coordinated screening and
143 progress monitoring system pursuant to this paragraph.

144 1. For students in the Voluntary Prekindergarten Education
145 Program through grade 2, the coordinated screening and progress
146 monitoring system must be administered at least three times
147 within a program year or school year, as applicable, with the
148 first administration occurring no later than the first 30
149 instructional days after a student's enrollment or the start of
150 the program year or school year, the second administration

151 occurring midyear, and the third administration occurring within
152 the last 30 days of the program or school year pursuant to state
153 board rule. The state board may adopt alternate timeframes to
154 address nontraditional school year calendars or summer programs
155 to ensure the coordinated screening and progress monitoring
156 program is administered a minimum of three times within a year
157 or program.

158 2. For grades 3 through 10 English Language Arts (ELA) and
159 grades 3 through 8 Mathematics, the coordinated screening and
160 progress monitoring system must be administered at the
161 beginning, middle, and end of the school year pursuant to state
162 board rule. The end-of-year administration of the coordinated
163 screening and progress monitoring system must be a comprehensive
164 progress monitoring assessment administered in accordance with
165 the scheduling requirements under s. 1008.22(7)(c). No later
166 than the 2025-2026 school year, the Department of Education
167 shall have developed multilingual versions of the Grade 10 ELA
168 coordinated screening and progress monitoring system to include
169 Spanish and Haitian Creole test items that are equivalent to
170 each English language test item. For purposes of this section, a
171 "multilingual version of an assessment" means an assessment with
172 test items in both English and Spanish or Haitian Creole, as
173 appropriate for the student. Each school district shall, for the
174 beginning, middle, and end of the school year administrations of
175 the grade 10 ELA coordinated screening and progress monitoring

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176 | system, administer a multilingual version of the assessment to
177 | students whose home language is Spanish or Haitian Creole and
178 | who are receiving services in a program operated pursuant to s.
179 | 1003.56 or who have recently exited such program and are still
180 | within the post-exit monitoring period. A parent of an English
181 | language learner may request his or her student receive a
182 | monolingual, English version of the assessment.

183 | Section 3. This act shall take effect July 1, 2023.